

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

**APPLICATIONS OF CHISHOLM ENERGY
OPERATING, LLC FOR COMPULSORY
POOLING, LEA COUNTY, NEW MEXICO.**

CASE NOS. 21849-21850

**APPLICATIONS OF MEWBOURNE OIL COMPANY
FOR COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

CASE NOS. 22161-22164

**MOTION TO VACATE PRE-HEARING ORDER
AND SET A STATUS CONFERENCE**

Chisholm Energy Operating, LLC, (“Chisholm”) moves the Division to vacate the pre-hearing order entered in these matters and hold a status conference at the November 4th docket. In support thereof, the Chisholm states:

1. Chisholm Cases 21849 and 21850 seek to create two standard 320-acre horizontal well spacing units in the Bone Spring formation underlying the E/2 of Sections 7 and 18, Township 19 South, Range 33 East, NMPM, Lea County, New Mexico.
2. Chisholm’s applications for the E/2 of Sections 7 and 18 were initially set for hearing on May 6, 2021 but continued after Mewbourne appeared and indicated a need to address a title dispute in the subject acreage.
3. At a status conference on August 5th, Mewbourne expressed a desire to file competing pooling applications for the subject acreage.
4. On August 10th, Mewbourne filed pooling applications that were assigned Cases 22161-22164.
5. On August 17th, after being apprised of the Mewbourne case numbers, the Division issued an Amended and Restated Pre-Hearing Order, setting these matters for a contested hearing on November 4th.
6. The Mewbourne cases seek to not only create competing spacing units in the E/2 of Sections 7 and 18, but also seek to create Bone Spring spacing units in the W/2 of Sections 7 and 18.
7. Efforts by the parties to resolve a title dispute and to reach agreement on the development of Sections 7 and 18 have failed, resulting in the need for Chisholm to file

competing pooling cases covering the W/2 of Section 7 and 18 where Chisholm also holds a substantial working interest.

8. To avoid separate hearings on competing proposals in the E/2 and the W/2 of Sections 7 and 18, the prehearing order in this matter should be vacated and a hearing scheduled at a later date when all the pooling applications for the subject acreage can be heard by the Division.

9. Neither party is prejudiced by a holding a hearing at a later date.

10. Mewbourne has been contacted about this motion but has not yet apprised Chisholm of its position on this request.

WHEREFORE, Chisholm request that the Amended and Restated Prehearing Order in this matter be vacated and that these matters be scheduled for a status conference on November 4, 2021.

Submitted by:

HOLLAND & HART, LLP

By: 

Michael H. Feldewert

Adam G. Rankin

Julia Broggi

Kaitlyn A. Luck

Post Office Box 2208

Santa Fe, New Mexico 87504

(505) 988-4421

mfeldewert@hollandhart.com

agrarkin@hollanthart.com

jbroggi@hollandhart.com

kaluck@hollandhart.com

Attorneys for Chisholm Energy Operating, LLC

CERTIFICATE OF SERVICE

I hereby certify that on October 26, 2021, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

James Bruce
Post Office Box 1056
Santa Fe, New Mexico 87504
505-982-2043
jamesbruc@aol.com
Attorney for Mewbourne Oil Company

Jobediah Rittenhouse
BEATTY & WOZNIAK, P.C.
216 16th St., Suite 1100
Denver, CO 80202
(303) 407-4499
jrittenhouse@bwenergylaw.com
Attorney for EOG Resources, Inc.



Michael H. Feldewert